

North Texas Hospital for the Insane, State Training School for Girls, and Walter Colquitt Memorial Hospital, and declaring an emergency."

Have had same under consideration, and beg to report the same back to the Senate with the recommendation that it do not pass, but that the following committee substitute bill do pass in lieu thereof, and that only the substitute bill be printed.

COWELL, Chairman.

On motion of Senator Cowell, the substitute bill was directed not printed in the Journal.

Engrossing Committee Report.

Committee Room,
Austin, Texas, May 5, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have carefully compared Senate Bill No. 6, and find the same correctly engrossed.

WESTBROOK, Chairman.

SEVENTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, May 6, 1915.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Johnson.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Parr.
Harley.	Smith.
Harris.	Suiter.
Henderson.	Westbrook.
Hudspeth.	Wiley.

Absent.

Townsend.

Absent—Excused.

Conner.	King.
Hall.	Robbins.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Smith.

Excused.

On account of important business: Senator Townsend, for today and indefinitely, on motion of Senator Hudspeth.

Senator Conner, for yesterday, today and indefinitely, on motion of Senator Henderson.

Bills and Resolutions.

By Senator Clark:

S. B. No. 11, A bill to be entitled "An Act to appropriate out of the general revenue, not otherwise appropriated, the sum of \$415,000.00 for the purpose of making repairs on and rearrangements of the State Capitol building in the city of Austin, Texas, etc., to create a board consisting of the Governor, Commissioner of the General Land Office, Comptroller and Attorney General, to have general supervision of the making of such repairs and rearrangements and the expenditure of such moneys, vesting such board with power to make the necessary contracts, etc., to carry out the purpose of such appropriation, etc., and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

Morning call concluded.

Senate Bill No. 10.

The Chair laid before the Senate, on second reading.

S. B. No. 10, A bill to be entitled "An Act directing the sale of the land and other property of the Blind Asylum, located in Austin, and that the proceeds of such sale shall be paid into the general revenue of the State, and directing that land be purchased and new buildings be erected thereon, and that the new institution be known as the Texas School for the Blind; creating a board, and making an appropriation to carry out the provisions of this Act, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

Senator Page offered the following amendment:

Amend the bill by adding in line the word purchased "in or near to the city of Austin in Travis County, Texas."

Senator Henderson offered the following substitute for the above amendment:

Amend Senate Bill No. 10 by adding as a part of Section 2, after the last word of said section the following: Or said committee shall be authorized to accept a donation of not less than forty acres of land on which to locate said institution, or they may accept any other donations that may be tendered to it, but said institution shall be located wherever said committee may deem best without taking into consideration any donations that may be offered.

HENDERSON,
WESTBROOK.

Executive Session.

The Chair here announced that the hour, 11 o'clock a. m., the time for the Senate to hold Executive Session, had arrived, and directed the chamber cleared of all those not entitled to remain.

In Executive Session the following confirmations were made, as reported by the Secretary:

To be judge of the Thirty-first Judicial District of Texas, Hon. Frank Willis.

To be judge of the Seventy-fifth Judicial District of Texas, Hon. J. Llewellyn.

To be district attorney of the Seventy-fifth Judicial District of Texas, Hon. Dan Harrison.

To be members of the board of managers of the Southwestern Insane Asylum, Messrs. Albert Steves, Jr., and William Cassin.

To be member of the State Naval Board, Mr. Harry G. Black.

To be hide and animal inspector for Bee, Live Oak and Duval Counties, Messrs. John Rigby, L. P. Lawley and M. A. Munoz, respectively.

IN THE SENATE.

Oath of Office Administered.

Here the Chair administered the oath of office to J. C. Sen, second Assistant Sergeant-at-Arms.

Senate Bill No. 10.

Action recurred on the pending business, S. B. No. 10, the question being on the amendment by Senator Henderson as a substitute for the amendment by Senator Page.

Simple Resolution No. 12.

(By unanimous consent).

By Senators McNealus et al.:

Whereas, the Hon. Henry D. Lindsley, Mayor of Dallas, is a visitor to Austin and is now in the Senate reception room, therefore be it

Resolved, That the Senate stand at ease for fifteen minutes, and that Mr. Lindsley be requested to address the Senate on municipal government.

M'NEALUS,
LATTIMORE,
COWELL,
ASTIN.

The resolution was read and adopted.

IN THE SENATE.

The Senate was called to order by Lieutenant Governor Hobby.

Senate Bill No. 10.

(Pending business).

Action recurred on S. B. No. 10, the question being on the substitute for the pending amendment.

After discussion, both the amendment and substitute, by unanimous consent, were withdrawn, and

Senator Henderson offered the substitute as an amendment (see the amendment in former proceedings).

Senator McGregor moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—19.

Astin.	Lattimore.
Balléy of DeWitt.	McCollum.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Nugent.
Clark.	Page.
Darwin.	Smith.
Harley.	Suiter.
Hudspeth.	Wiley.
Johnson.	

Nays—4.

Harris. Parr.
Henderson. Westbrook.

Absent.

Cowell. Robbins.
Gibson. Townsend.
Morrow.

Absent—Excused.

Conner. King.
Hall.

The bill was read second time and passed to engrossment.

On motion of Senator McGregor, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 10 put on its third reading and final passage by the following vote:

Yeas—23.

Astin. Lattimore.
Bailey of DeWitt. McCollum.
Bailey of Harris. McGregor.
Bee. McNealus.
Brelsford. Nugent.
Clark. Page.
Darwin. Parr.
Gibson. Smith.
Harris. Sulter.
Henderson. Westbrook.
Hudspeth. Wiley.
Johnson.

Absent.

Cowell. Robbins.
Harley. Townsend.
Morrow.

Absent—Excused.

Conner. King.
Hall.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—25.

Astin. Hudspeth.
Bailey of DeWitt. Johnson.
Bailey of Harris. Lattimore.
Bee. McCollum.
Brelsford. McGregor.
Clark. McNealus.
Cowell. Morrow.
Darwin. Nugent.
Gibson. Page.
Harris. Parr.
Henderson. Smith.

Sulter. Wiley.
Westbrook.

Absent.

Harley.

Present—Not Voting.

Conner. Robbins.
Hall. Townsend.
King.

Senator McGregor moved to reconsider the vote by which S. B. No. 10 was passed and table the motion to reconsider.

The motion to table prevailed.

Message From the Governor.

Executive Department,
May 5, 1915.

To the Thirty-fourth Legislature of Texas in Called Session:

During this special session I shall assume the initiative in recommending for your consideration and passage various and sundry measures, having for their purpose the material and cultural advancement of our state.

I want especially to ask this Legislature to assist in this latter regard by providing for the purchase and improvement of certain lands in Washington County, on which was located the first Capitol of Texas, and which is now marked by a shaft of stone thoughtfully erected by the school children of that section in 1900.

Time lays as destructive a hand upon that which is historic as upon that which is uninteresting, and we, as patriotic Texans, should save to posterity the beauty and glory of this memorable spot, where first the birth of a new nation was announced to the world—where met the last session of Congress that terminated the Lone Star Republic and merged it into the sisterhood of these United States.

I admonish you, therefore, as legislative representatives of this great commonwealth to do that which is necessary and practicable to preserve and beautify this hallowed ground, this altar of Texas independence, where citizen and alien may gather in the years to come; and from the white dust of travel, find rest and

recreation in the contemplative shade of this shrine of Texas liberty.

Respectfully submitted,
JAS. E. FERGUSON,
Governor of Texas.

Message From the Governor.

Governor's Office,
Austin, Texas, May 6, 1915.

To the Thirty-fourth Legislature:

I beg respectfully to advise and submit for your consideration the following:

At the Regular Session an Act was duly passed by your body providing for the location of three normal schools. By the terms of said Act it was provided that the Governor, Lieutenant Governor and Attorney General, and two members to be appointed by the Supreme Court, were to constitute a board to locate these schools. I quote below the original letter which I hold in my possession from the members of the court, as follows:

April 15, 1915.

Governor Jas. E. Ferguson, Capitol.

Dear Governor Ferguson: We are advised by the recent Act of the Legislature that under its provisions the Supreme Court is commissioned to select two members of the board charged with determining the locations for the three normal schools authorized by the Act.

While imbued with a sense of deep appreciation of the honor of the appointment and full deference for an Act of the Legislature, we are convinced that this is a duty wholly unrelated to any proper function of the court, and one which it is beyond its province to assume. It would be unwise, in our opinion, for the court to undertake it, or any other duty not strictly within its constitutional powers.

We feel obliged, therefore, with great respect, to decline the appointment.

With high esteem, we have the honor to remain,

Yours sincerely,

(Signed) T. J. BROWN,
Chief Justice.
(Signed) NELSON PHILLIPS,
(Signed) WM. E. HAWKINS,
Associate Justices.

I submit this for your considera-

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tion and such action as you may deem necessary in the premises.

Respectfully,
JAS. E. FERGUSON,
Governor of Texas.

Bills and Resolutions.

(By unanimous consent.)

By Senator Page:

S. B. No. 12, A bill to be entitled "An Act to provide for the purchase of certain lands and improvements thereon in Washington County, Texas, the same being lands upon which there has been erected a monument commemorating the fact that at said point was located the first Capitol of Texas, etc., making appropriation therefor, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Adjournment.

On motion of Senator Clark, the Senate, at 12 o'clock, noon, adjourned until 10 o'clock tomorrow morning.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Friday, May 7, 1915.

The Senate met at 10 o'clock, a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	Johnson.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Cowell.	Page.
Darwin.	Parr.
Gibson.	Smith.
Harley.	Suiter.
Harris.	Westbrook.
Henderson.	Wiley.

Absent.

Hudspeth.

McCollum.